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44280

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/107.681 08/17/93 FUJISHITA

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COOPER & DUNHAM  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

26M2/0405

EXAMINER	
MENGISTU, A	
ART UNIT	PAPER NUMBER

8

2609  
DATE MAILED:

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

04/05/95 MGA  
7-5-95  
10-5-95

- ☐ This application has been examined ☒ Responsive to communication filed on 1-9-95 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.                 | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474.     | 6. <input type="checkbox"/> _____   |

**Part II SUMMARY OF ACTION**

1. ☒ Claims 1-4 are pending in the application.

Of the above, claims 5-12 are withdrawn from consideration.

2. ☐ Claims \_\_\_\_\_ have been cancelled.

3. ☐ Claims \_\_\_\_\_ are allowed.

4. ☒ Claims 1-4 are rejected.

5. ☐ Claims \_\_\_\_\_ are objected to.

6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

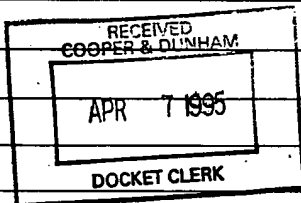
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other



**EXAMINER'S ACTION**

**Part III DETAILED ACTION**

1. The Japanese reference (JP,64-18745) which was submitted by the Applicant does not correspond with the English abstract.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1-4 are rejected under 35 U.S.C. § 103 as being unpatentable over Shinoda (4,718,112) in view of Ikezaki Masao (EP,0 390 041).

As to claims 1-4, Shinoda discloses an electronic device (fig.1) comprising: an audio equipment(1) for processing an audio signal (TA,ST,TC and CD) and a video signal receiver(2) connected thereto, a control panel for audio equipment (1a) having a plurality of control portions arranged in a predetermined physical layout( it is obvious that each one of TA,TC,CD and PS

has it's own control portions in order to control each one separately). It is also obvious that Shinoda device has a means for detecting an operation state of each of the portions in order to know that the device is functioning.

Since Shinoda has failed to disclose that a video signal which displays the portion of the control panel when operating. However, Ikezaki teaches that it is well known for an audio equipment to use a video signal to display by varying a portion of the control panel which is detected as being operating (see, col. 3, lines 3-30, col.6, lines 22-37, figs. 4 and 5). Ikezaki also teaches means for selecting (see, fig.4-6(20) from LD or VTR or DAT etc.) and outputting signal from the input terminals (see, col.7, lines 18- col.8, lines 49).

It is obvious that Ikezaki's device has means for storing the names of devices in order to display the list corresponding the names of the device.

It would have been obvious to modify Shinoda's audio equipment with Ikezai's displaying the operating portion of the control panel, since this an advancement for Shindoa's device by allowing an operator an easy-to-see state by providing which one of the control panels is being operating.

3. Claims 1-4 are rejected under 35 U.S.C. § 103 as being unpatentable over *Toshio Amano* (EP, 2 081 948) in view of *Ikezaki* (EP, 0 390 041).

As to claims 1-4, Toshio discloses an audio equipment device in which an audio signal and a video signal receiver connected thereto (see, col. 2, lines 28-61), a control panel having a plurality of control portions for the audio equipment (fig. 1 (2-5)). It is obvious that Toshio's device has to have a means for detecting an operation state of each of the control portions in order to make sure the device is functioning or the device is in operating state.

Toshio has failed to disclose that a video signal which displays the portion of the control panel when operating. However, Ikezaki teaches that it is well known for an audio equipment to use a video signal to display by varying a portion of the control panel which is detected as being operating (see, col. 3, lines 3-30, col. 6, lines 22-37, figs. 4 and 5). Ikezaki also teaches means for selecting (see, fig. 4-6 (20) from LD or VTR or DAT etc.) and outputting signal from the input terminals (see, col. 7, lines 18- col. 8, lines 49).

It is obvious that Ikezaki's device has means for storing the names of devices in order to display the list corresponding the names of the device.

It would have been obvious to combine Toshio's audio equipment with Ikezaki's displaying the operating portion of the control panel, since this an improvement to Toshio's device by allowing an operator an easy-to-see state of operating control panels.

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Art Unit: 2609

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4. Applicant's arguments with respect to claims 1-4 have been considered but are deemed to be moot in view of the new grounds of rejection.

5. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

6. Any inquiry concerning this communication should be directed to Amare Mengistu at telephone number (703) 305-4880.

A.Mengistu

March 29, 1995

*A. Mengistu*

*Ulysses Weldon*  
**ULYSSES WELDON**  
**PRIMARY EXAMINER**  
**GROUP 2600**



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SN08/107681

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**NOTICE OF FINAL RULE-- 37 CFR 1.129(a)-- EFFECTIVE JUNE 8, 1995  
TRANSITIONAL AFTER FINAL PRACTICE:**

In any pending application reflecting an effective pendency of at least two years on June 8, 1995, taking into account any reference to an earlier filed application under 35 U.S.C. 120, 121 or 365(c), the applicant, under 37 CFR 1.129(a), is entitled to have a first submission after final rejection entered and considered on the merits -- if the submission and the fee set forth in 37 CFR 1.17(r) are filed prior to the filing of an appeal brief under 37 CFR 1.192 and prior to abandonment.

Upon the timely filing of a first submission and payment of the fee set forth in 37 CFR 1.17(r), the "finality" of the previous final rejection will be withdrawn. Accordingly, since all previously unentered amendments would then be entered, any conflicting amendments should be clarified for entry by the applicant upon submission of the fee set forth in 37 CFR 1.17(r). Absent specific instructions for entry, all amendments filed as of the date of the withdrawal of the finality of the previous final action will be entered in the order in which they were filed.

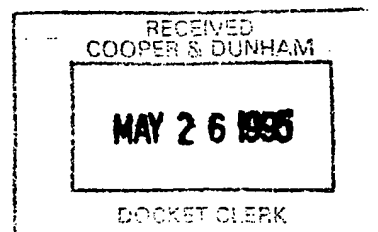
If a subsequent final rejection is made, and the appropriate fee for a first submission after a final rejection has already been paid, applicant is entitled, under 37 CFR 1.129(a), to have a second submission entered and considered on the merits, provided the second submission and the fee set forth in 37 CFR 1.17(r) are filed prior to the filing of an appeal brief under 37 CFR 1.192 and prior to abandonment. Upon the timely filing of a second submission and a second fee under 37 CFR 1.17(r), the "finality" of the previous final rejection will be withdrawn.

No amendment considered as a result of payment of a fee under 37 CFR 1.17(r) may introduce new matter into the disclosure of the application, 35 U.S.C. 132.

The fees set forth in 37 CFR 1.17(r) are currently: \$730.00 for a large entity; \$365.00 for a small entity.

Upon twice paying the fee set forth in 37 CFR 1.17(r), and consequent withdrawals of the "finality" of the previous final rejections, the application is no longer subject to the provisions of 37 CFR 1.129(a). The provisions of 37 CFR 1.129(a) do not apply to any application filed after June 8, 1995.

Stephen G. Kunin  
Deputy Assistant Commissioner for Patent Policy and Projects



N-129(5/95)